

SONGMY

WAR CRIMES AND INDIVIDUAL RESPONSIBILITY

A Legal Memorandum

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The dramatic disclosure of the Songmy massacre has led to a public concern over the commission of war crimes in Vietnam by American military personnel. Such a concern is certainly appropriate, but insufficient if limited to inquiry and prosecution of the individual servicemen involved in the monstrous events that apparently took the lives of over 500 civilians in the Mylai #4 hamlet of Songmy village on March 16, 1968. The Songmy massacre itself raises a serious basis for inquiry into the military and civilian command structure that was in charge of battlefield behavior at the time.

The evidence now available suggests that the armed forces have made efforts throughout the Vietnam War to suppress, rather than

investigate and punish, the commission of war crimes by American personnel. The evidence also suggests a failure to protest or prevent the manifest and systematic commission of war crimes by the armed forces of the Saigon regime in South Vietnam.

The scope of proper inquiry is even broader than the prior paragraph suggests. The official policies developed for the pursuit of belligerent objectives in Vietnam appear to violate the same basic and minimum constraints on the conduct of war as were violated at Songmy. B-52 pattern raids against undefended villages and populated areas, "free bomb zones," forcible removal of civilian populations, defoliation and crop destruction and "search and destroy" mis-

sions have been sanctioned as official tactical policies of the United States government. Each of these tactical policies appears to violate the international laws of war binding upon the United States by international treaties ratified by the U.S. government with the advice and consent of the Senate. The overall conduct of the war in Vietnam by the U.S. armed forces involves a refusal to differentiate between combatants and noncombatants and between military and nonmilitary targets. Detailed presentation of the acts of war in relation to the laws of war is available in a volume bearing the title *In the Name of America* published under the auspices of the Clergy and Laymen Concerned about Vietnam, in January 1968, or several months before the Songmy massacre took place. Ample evidence of war crimes has been presented to the public and to its officials for some time without producing an official reaction or rectifying action. A comparable description of the acts of war that were involved in the bombardment of North Vietnam by American planes and naval vessels between February 1965 and October 1968 is available in a book by John Gerassi entitled *North Vietnam: A Documentary*.

The broad point, then, is that the United States government has officially endorsed a series of battlefield activities that appear to constitute war crimes. It would, therefore, be misleading to isolate the awful happening at Songmy from the overall conduct of the war. It is certainly true that the perpetrators of the massacre at Songmy are, if the allegations prove correct, guilty of the commission of war crimes, but it is also true that their responsibility is mitigated to the extent that they were executing superior orders or were even carrying out the general line of official policy that established a moral climate in which the welfare of Vietnamese civilians is totally disregarded.

I. Personal Responsibility: *Some Basic Propositions*

The U.S. prosecutor at Nuremberg, Robert Jackson, emphasized that war crimes are war crimes no matter which country is guilty of them. The United States more than any other sovereign state took the lead in the movement to generalize the principles underlying the Nuremberg Judgment that was delivered against German war criminals after the end of World War II.

At the initiative of the United States, in 1945 the General Assembly of the United Nations

unanimously affirmed "the principles of international law recognized by the Charter of the Nuremberg Tribunal" in Resolution 95(I). This Resolution was an official action of governments. At the direction of the membership of the United Nations, the International Law Commission, an expert body containing international law experts from all of the principal legal systems in the world, formulated the Principles of Nuremberg in 1950.

These seven Principles of International Law are printed below in full to indicate the basic standards of international responsibility governing the commission of war crimes. These Principles offer the most complete set of guidelines currently available on the relationship between personal responsibility and war crimes.

PRINCIPLES OF INTERNATIONAL LAW recognized in the Charter of the Nuremberg Tribunal and in the judgment of the Tribunal as formulated by the International Law Commission, June-July, 1950.

Principle I

Any person who commits an act which constitutes a crime under international law is responsible therefor and liable to punishment.

Principle II

The fact that internal law does not impose a penalty for an act which constitutes a crime under international law does not relieve the person who committed the act from responsibility under international law.

Principle III

The fact that a person who committed an act which constitutes a crime under international law acted as Head of State or responsible government official does not relieve him from responsibility under international law.

Principle IV

The fact that a person acted pursuant to order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible for him.

Principle V

Any person charged with a crime under international law has the right to a fair trial on the facts and law.

Principle VI

The crimes hereinafter set out are punishable as crimes under international law:

a. Crimes against peace:

(i) Planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties, agreements or assurances;

(ii) Participation in a common plan or conspiracy for the accomplishment of any of the acts mentioned under (i).

b. War crimes:

Violations of the laws or customs of war which include, but are not limited to, murder, ill-treatment or deportation to slave-labour or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns, or villages, or devastation not justified by military necessity.

c. Crimes against humanity:

Murder, extermination, enslavement, deportation and other inhuman acts done against any civilian population, or persecutions on political, racial or religious grounds, when such acts are done or such persecutions are carried on in execution of or in connexion with any crime against peace or any war crime.

Principle VII

Complicity in the commission of a crime against humanity as set forth in Principle VI is a crime under international law.

Neither the Nuremberg Judgment nor the Nuremberg Principles fixes definite boundaries on personal responsibility. These boundaries will have to be drawn in the future as the circumstances of alleged violations of international law are tested by competent domestic and international tribunals. However, Principle IV makes it clear that superior orders are no defense in a prosecution for war crimes, provided the individual accused of criminal behavior had a moral choice available to him.

The Supreme Court upheld in *The Matter of Yamashita* 327 U.S. 1 (1945) a sentence of death against General Yamashita imposed at the end of World War II for acts committed by troops under his command. The determination of responsibility rested upon the obligation of General Yamashita for the maintenance of discipline by troops under his command, which discipline included the enforcement of the prohibition against the commission of war crimes. Thus General Yamashita was convicted even though he had no specific knowledge of the alleged war crimes, which mainly involved forbidden acts against the civilian population of the Philippines in the closing days of World War II. Commentators have criticized the conviction of General Yamashita because it was difficult to maintain discipline under the conditions of defeat during which the war crimes were committed, but the imposition of responsibility sets a precedent for

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holding principal military and political officials responsible for acts committed under their command, especially when no diligent effort was made to inquire, punish and prevent repetition. *The Matter of Yamashita* has an extraordinary relevance to the failure of the U.S. military command to secure adherence to minimum rules of international law by troops serving under their command. The following sentences from the majority opinion of Chief Justice Stone in *The Matter of Yamashita* have a particular bearing:

It is evident that the conduct of military operations by troops whose excesses are unrestrained by the orders or efforts of their commands would almost certainly result in violations which it is the purpose of the law of war to prevent. Its purpose to protect civilian populations and prisoners of war from brutality would largely be defeated if the commands of an invading army could with impunity neglect to take reasonable measures for their protection. Hence the law of war presupposes that its violation is to be avoided through the control of the operations of war by commanders who are to some extent responsible for their subordinates. [327 U.S. 1, 15]

The Field Manual of the Department of the Army, FM 27-10, adequately develops the principles of responsibility governing members of the armed forces. §3 (b) makes it clear that "the law of war is binding not only upon States as such but also upon individuals and, in particular, the members of their armed forces." The entire manual is based upon the acceptance by the United States of the obligation to conduct warfare in accordance with the international law of war. The substantive content of international law is contained in a series of international treaties that have been properly ratified by the United States. These include 12 Hague and Geneva Conventions.

These international treaties are listed in the Field Manual and are, in any event, part of

"the supreme law of the land" by virtue of Article VI of the U.S. Constitution. Customary rules of international law governing warfare are also made explicitly applicable to the obligation of American servicemen in the Manuals issued to the armed forces.

It has sometimes been maintained that the laws of war do not apply to a civil war, which is a war within a state and thus outside the scope of international law. Some observers have argued that the Vietnam War represents a civil war between factions contending for political control of South Vietnam. Such an argument may accurately portray the principal basis of the conflict, but surely the extension of the combat theater to include North Vietnam, Laos, Thailand, Cambodia and Okinawa removes any doubt about the international character of the war from a military and legal point of view. Nevertheless, even assuming for the sake of analysis that the war should be treated as a civil war, the laws of war are applicable to a limited extent, an extent great enough to cover the events at Songmy and the commission of many other alleged war crimes in Vietnam. §11 of the Field Manual recites Article 3 common to all four Geneva Conventions on the Law of War (1947) and establishes a minimum set of obligations for civil war situations:

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

- (a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- (b) taking of hostages;
- (c) outrages upon personal dignity, in particular, humiliating and degrading treatment;
- (d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted

court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

(2) The wounded and sick shall be collected and cared for. An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

The Parties to the conflict would further endeavor to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

Such a limited applicability of the laws of war to the Vietnam War flies in the face of the official American contention that South Vietnam is a sovereign state that has been attacked by a foreign state, North Vietnam. This standard American contention, repeated in President Nixon's speech of November 3, 1969, would suggest that the United States government is obliged to treat the Vietnam conflict as a war of international character to which the entire law of war applies.

Several provisions of the Field Manual clearly establish the obligation of the United States to apprehend and punish the commission of war crimes:

§ 506. Suppression of War Crimes

a. *Geneva Conventions of 1949.* The Geneva Conventions of 1949 contain the following common undertakings:

The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention defined in the following Article.

Each High Contracting Party shall be under the obligation to search for persons alleged to have committed or ordering to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts. It may also, if it prefers, and in accordance with the provisions of its own legislation, hand such persons over for trial to another High Contracting Party concerned, provided such High Contracting Party has made out a *prima facie* case.

Each High Contracting Party shall take measures necessary for the suppression of all acts contrary to the provisions of the present Convention other than the grave breaches defined in the following Article.

In all circumstances, the accused persons shall benefit by safeguards of proper trial and defense, which shall not be less favourable than those provided by Article 105 and those following of the Geneva Convention relative to the treatment of Prisoners of War of

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August 12, 1949. (GWS art. 49; GWS Sea, art. 50; GPW, art. 129; GC, art. 146)

b. *Declaratory Character of Above Principles.* The principles quoted in *a*, above, are declaratory of the obligations of belligerents under customary international law to take measures for the punishment of war crimes committed by all persons, including members of a belligerent's own armed forces.

c. *Grave Breaches.* "Grave breaches" of the Geneva Conventions of 1949 and other war crimes which are committed by enemy personnel or persons associated with the enemy are tried and punished by United States tribunals as violations of international law.

If committed by persons subject to United States military law, these "grave breaches" constitute acts punishable under the Uniform Code of Military Justice. Moreover, most of the acts designated as "grave breaches" are, if committed within the United States, violations of domestic law over which the civil courts can exercise jurisdiction.

§ 507. Universality of Jurisdiction

a. *Victims of War Crimes.* The jurisdiction of United States military tribunals in connection with war crimes is not limited to offenses committed against nationals of the United States but extends also to all offenses of this nature committed against nationals of allies and of cobelligerents and stateless persons.

b. *Persons Charged with War Crimes.* The United States normally punishes war crimes as such only if they are committed by enemy nationals or by persons serving the interests of the enemy State. Violations of the law of war committed by persons subject to the military law of the United States will usually constitute violations of the Uniform Code of Military Justice and, if so, will be prosecuted under that Code. Violations of the law of war committed within the United States by other persons will usually constitute violations of federal or state criminal law and preferably will be prosecuted under such law (see pars. 505 and 506). Commanding officers of United States troops must insure that war crimes committed by members of their forces against enemy personnel are promptly and adequately punished.

§ 508. Penal Sanctions

The punishment imposed for a violation of the law of war must be proportionate to the gravity of the offense. The death penalty may be imposed for grave breaches of the law. Corporal punishment is excluded. Punishments should be deterrent, and in imposing a sentence of imprisonment it is not necessary to take into consideration the end of the war, which does not of itself limit the imprisonment to be imposed.

§ 509. Defense of Superior Orders

a. The fact that the law of war has been violated pursuant to an order of a superior authority, whether military or civil, does not deprive the act in question of its character of a war crime, nor does it constitute a defense in the trial of the accused individual, unless he did not know and could not reasonably have been expected to know that the act ordered was unlawful. In all cases where the order is held not to constitute a defense to an allegation of a war crime, the fact that the individual was acting pursuant to orders may be considered in mitigation of punishment.

b. In considering the question whether a superior order constitutes a valid defense, the court shall take into consideration the fact that obedience to lawful military orders is the duty of every member of the armed forces; that the latter cannot be expected, in conditions of war discipline, to weigh scrupulously the legal merits of the orders received; that certain rules of warfare may be controversial; or that an act otherwise amounting to a war crime may be done in obedience to orders conceived as a measure of reprisal. At the same time it must be borne in mind that members of the armed forces are bound to obey only lawful orders (e.g. UCMJ, Art. 92).

§ 510. Government Officials

The fact that a person who committed an act which constitutes a war crime acted as the head of a State or as a responsible government official does not relieve him from responsibility for his act.

§ 511. Acts Not Punished in Domestic Law

The fact that domestic law does not impose a penalty for an act which constitutes a crime under international law does not relieve the person who committed the act from responsibility under international law.

These provisions make it amply clear that war crimes are to be prosecuted and punished and that responsibility is acknowledged to extend far beyond the level of the individuals who performed the physical acts that inflicted harm. In fact, the effectiveness of the law of war depends, above all else, on holding those in command and in policy-

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making positions responsible for the behavior of the rank-and-file soldiers on the field of battle. The reports of neuropsychiatrists, trained in combat therapy, have suggested that unrestrained behavior by troops is an expression almost always of tacit authorization, at least, on the part of commanding officers; a form of authorization that conveys to the rank-and-file soldier the absence of any prospect of punishment for the outrageous behavior. It would thus be a deception to punish the triggermen at Songmy without also looking further up the chain of command to identify the truer locus of responsibility.

II. Some Comments on the Songmy Massacre

The events took place on March 16, 1968. The Secretary of Defense admitted knowledge of these events eight months before their public disclosure. The disclosure resulted from the publication in the *Cleveland Plain Dealer* in November 1969 of a photograph of the massacre taken by Ronald Haeberle. The lapse of time, the existence of photographs, the report of the helicopter pilot, the large number of American personnel (approximately 80 men of Company C, First Battalion, 20th Infantry Division) involved in the incident, creates a deep suspicion that news of the massacre was suppressed at various levels of command and that its disclosure was delayed at the highest levels of military and civilian government. The numerous other reports of atrocities connected with the war have also not been generally investigated or punished with seriousness. In fact, other evidence of atrocities has been ignored or deliberately suppressed by military authorities at all levels of the U.S. command structure.

The massacre at Songmy exhibits a bestiality toward the sanctity of civilian lives that exceeds earlier atrocities that took place at Lidice or Guernica. At Lidice, Czechoslovakia, on June 10, 1942, the male population of the town was shot, women were

taken off to concentration campus, and the children sent off to schools and families. At Songmy women and children were not spared. At Guernica bombs were dropped on an undefended Spanish village, terrorizing and killing the inhabitants, a scene made universal by Picasso's mural commemorating the horrifying events. Such military tactics are daily employed by American forces in Vietnam. At Songmy civilians were systematically chosen; they were the intended victims of the act, not the uncertain, random victims of an air attack.

The Songmy massacre is the culmination of the policies of counterinsurgency warfare in South Vietnam. It is not, however, an isolated atrocity, as many other occurrences in South Vietnam have revealed a brutal disregard of Vietnamese civilians and have disclosed little or no effort by military commanders to punish and prevent this behavior. In addition, the Songmy massacre is consistent with the overall effort of "denying" the National Liberation Front its base of support among the civilian population of Vietnam, whether by the assassination of civilians alleged to be NLF cadres (from December 1967 to December 1968, 18,393 such civilians were killed in the Phoenix Operation), by fire-bomb zone attacks against villages in NLF-held territory, defoliation and crop destruction, and by search-and-destroy missions that involved the destruction of the homes and villages of many thousand Vietnamese civilians. It is estimated by the U.S. Senate Subcommittee on Refugees, chaired by Senator Edward Kennedy, that over 300,000 South Vietnamese civilians have been killed since the beginning of the war, mainly by U.S. air strikes and artillery. Such a figure represents a number six times as great as American war dead, and suggests the indiscriminate use of weapons against the very people that the U.S. government contends it is fighting the war to protect.

The massacre at Songmy stands out as a landmark atrocity in the history of warfare, and its occurrence represents a moral challenge to the entire American society. This challenge was summarized by Mrs. Anthony Meadlow, the mother of David Paul Meadlow, one of the soldiers at Songmy, in a simple sentence: "I sent them a good boy, and they made him a murderer" (*New York Times*, November 30, 1969). Another characteristic statement about the general character of the war was attributed to an army staff sergeant: "We are at war with the ten-

year-old children. It may not be humanitarian, but that's what it's like" (*New York Times*, December 1, 1969).

III. Personal Responsibility in Light of Songmy

The massacre at Songmy raises two broad sets of issues about personal responsibility for the commission of war crimes:

The legal scope of personal responsibility for a specific act or pattern of belligerent conduct;

The extralegal scope of personal responsibility of citizens in relation to war crimes and to varying degrees of participation in an illegal war.

1) The War Criminal: Scope of Responsibility. We have already suggested that evidence exists that many official battlefield policies relied upon by the United States in Vietnam amount to war crimes. These official policies should be investigated in light of the legal obligations of the United States and if found to be "illegal," then these policies should be ceased forthwith and those responsible for the policy and its execution should be prosecuted as war criminals by appropriate tribunals. These remarks definitely apply to the following war policies, and very likely to others: 1) the Phoenix Program, 2) aerial and naval bombardment of undefended villages, 3) destruction of crops and forests, 4) "search-and-destroy" missions, 5) "harassment and interdiction" fire, 6) forcible removal of civilian population, 7) reliance on a variety of weapons prohibited by treaty. In addition, allegations of all war atrocities should be investigated and reported upon. These atrocities—committed in defiance of declared official policy—should be punished. Responsibility should be imposed upon those who inflicted the harm, upon those who gave direct orders, and upon those who were in a position of command entrusted with overall battlefield decorum and with the prompt detection and punishment of war crimes committed within the scope of their authority.

Finally, political leaders who authorized illegal battlefield practices and policies, or who had knowledge of these practices and policies and failed to act are similarly responsible for the commission of war crimes. The following paragraph from the Majority Judgment of the Tokyo War Crimes Tribunal is relevant:

A member of a Cabinet which collectively, as one of the principal organs of the Govern-

ment, is responsible for the care of prisoners is not absolved from responsibility if, having knowledge of the commission of the crimes in the sense already discussed, and omitting or failing to secure the taking of measures to prevent the commission of such crimes in the future, he elects to continue as a member of the Cabinet. This is the position even though the Department of which he has the charge is not directly concerned with the care of prisoners. A Cabinet member may resign. If he has knowledge of ill-treatment of prisoners, is powerless to prevent future ill-treatment, but elects to remain in the Cabinet thereby continuing to participate in its collective responsibility for protection of prisoners he willingly assumes responsibility for any ill-treatment in the future.

Army or Navy commanders can, by order, secure proper treatment and prevent ill-treatment of prisoners. So can Ministers of War and of the Navy. If crimes are committed against prisoners under their control, of the likely occurrence of which they had, or should have had knowledge in advance, they are responsible for those crimes. If, for example, it be shown that within the units under his command conventional war crimes have been committed of which he knew or should have known, a commander who takes no adequate steps to prevent the occurrence of such crimes in the future will be responsible for such future crimes.

The United States government was directly associated with the development of a broad conception of criminal responsibility for the leadership of a state during war. A leader must take affirmative acts to prevent war crimes or dissociate himself from the government. If he fails to do one or the other, then by the very act of remaining in a government of a state guilty of war crimes, he becomes a war criminal.

Finally, as both the Nuremberg and the Tokyo Judgments emphasize, a government official is a war criminal if he has participated in the initiation or execution of an illegal war of aggression. There are considerable grounds for regarding the United States involvement in the Vietnam War—wholly apart from the conduct of the war—as involving the violation of the United Nations Charter and other treaty obligations of the United States.* If U.S. participation in the war is found illegal, then the policy-makers responsible for the war during its various stages, would be subject to prosecution as alleged war criminals.

2) Responsibility as a Citizen. The idea of prosecuting war criminals involves using in-

ternational law as a sword against violators in the military and civilian hierarchy of government. But the Nuremberg Principles imply a broader human responsibility to oppose an illegal war and illegal methods of warfare. There is nothing to suggest that the ordinary citizen, whether within or outside the armed forces, is potentially guilty of a war crime merely as a consequence of such a status. But there are grounds to maintain that anyone who believes or has reason to believe that a war is being waged in violation of minimal canons of law and morality has an obligation of conscience to resist participation in and support of that war effort by every means at his disposal. In this respect, the Nuremberg Principles provide guidelines for citizens' conscience and a shield that can and should be used in the domestic legal system to interpose obligations under international law between the government and the society. Such a doctrine of interposition has been asserted in a large number of selective service cases by individuals refusing to enter the armed forces. This assertion has already enjoyed a limited success in the Federal District Court's decision of Judge Wyzanski in the case of *U.S. v. Sission* (D. Mass. 1969), the appeal from which is now before the U.S. Supreme Court.

The issue of personal conscience is raised for everyone in the United States. It is raised more directly for anyone called upon to serve in the armed forces. It is raised in a special way for parents of minor children who are conscripted into the armed forces. It is raised for all taxpayers whose payments are used to support the cost of the war effort. It is raised for all citizens who in various ways endorse the war policies of the government. The circle of responsibility is drawn around all who have or should have knowledge of the illegal and immoral character of the war. The Songmy massacre puts every American on notice as to the character of the war. The imperatives of personal responsibility call upon each of us to search for effective means to bring the war to an immediate end.

And the circle of responsibility does not end at the border. Foreign governments and their populations are pledged by the Charter of the United Nations to oppose aggression and to take steps to punish the commission of war crimes. The cause of peace is indivisible, and all those governments and people concerned with Charter obligations have a legal and moral duty to oppose the continuation of the American involvement in Viet-

nam and to support the effort to identify, prohibit and punish the commission of war crimes. The conscience of the entire world community is implicated by inaction, as well as by more explicit forms of support for U.S. policy.

IV. Final Questions

Some may say that war crimes have been committed by both sides in Vietnam and, therefore, prosecution should be even-handed, and that North Vietnam and the Provisional Revolutionary Government of South Vietnam should be called upon to prosecute their officials guilty of war crimes. Such a contention needs to be understood, however, in the overall context of the war, especially in relation to the identification of which side is the victim of aggression and which side is the aggressor. More narrowly, the allegation of war crimes by the other side does not operate as a legal defense against a war crimes indictment. This question was clearly litigated and decided at Nuremberg.

Others have argued that there can be no war crimes in Vietnam because war has never been "declared" by the U.S. government.

The failure to declare war under these circumstances raises a substantial constitutional question, but it has no bearing upon the rights and duties of the United States under international law. A declaration of war is a matter of internal law, but the existence of combat circumstances is a condition of war that brings into play the full range of obligations under international law governing the conduct of a war.

V. Conclusion

This memorandum is a very tentative statement of some implications of the Songmy disclosures. These disclosures suggest wider responsibilities in relation to Songmy, in relation to other war practices in Vietnam, and in relation to the war itself. These responsibilities include the clarification and identification of what sorts of behavior make one subject to prosecution as a potential war criminal. These responsibilities also range beyond the idea of criminal liability to encompass all Americans and, indeed, all peoples and governments in the world. We call upon people everywhere to investigate the actions of the United States in Vietnam and to relate their conscience to these actions. Such is the full call to responsible action in the wake of the Songmy disclosures.